

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

Heinz Kettler GmbH & Co., KG, et al.,  
Plaintiff,

v.

Civil Action No. 1:10cv708

Razor USA, LLC,  
Defendant.

**ORDER**

A Fed. R. Civ. P. 16(b) PRETRIAL CONFERENCE will be held on Wednesday, September 8, 2010 at 11:00 a.m. before a magistrate judge. The parties shall confer prior to this conference to consider the claims, defenses, possibilities of a prompt settlement or resolution of the case, trial before a magistrate judge, to arrange for the disclosures required by Rule 26(a)(1), and to develop a discovery plan which will complete discovery by Friday, December 10, 2010. The parties must file their proposed discovery plan by the Wednesday preceding the Rule 16(b) conference.

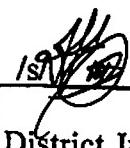
Any party required to file an answer must do so within twenty (20) days or as otherwise ordered or required under the federal and local Rules. Discovery may begin upon receipt of this order. A party may not exceed five (5) non-party, non-expert witness depositions nor serve on any other party more than thirty (30) interrogatories, including parts and subparts, without leave of court.

The FINAL PRETRIAL CONFERENCE will be held on Thursday, December 16, 2010 at 11:00 a.m. Counsel who appears at the final pretrial conference must be the person who will try the case.

The parties must electronically file on or before the final pretrial conference date the Rule 26(a)(3) disclosures and a list of the exhibits to be used at trial, a list of the witnesses to be called at trial and a written stipulation of uncontested facts. The exhibits themselves or a copy should be exchanged with opposing counsel before the conference. Objections to exhibits must be filed within 10 days after the conference; otherwise the exhibits shall stand admitted in evidence. The original exhibits shall be delivered to the clerk as provided by Local Rule 79(A). Non-expert witnesses and exhibits not so disclosed and listed will not be permitted at trial except for impeachment or rebuttal, and no person may testify whose identity, being subject to disclosure or timely requested in discovery, was not disclosed in time to be deposed or to permit the substance of his knowledge and opinions to be ascertained. The trial of this case will be set for a day certain, within 4-8 weeks of the final pretrial conference.

PERSONAL IDENTIFIERS MUST BE REDACTED FROM ALL PUBLICLY FILED PLEADINGS AND EXHIBITS IN ACCORDANCE WITH LOCAL RULE 7(C).

August 6, 2010  
Alexandria, Virginia

  
T. S. Ellis, III  
United States District Judge